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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3099/2024, CRL.M.A. 25997/2024

ARSHAD @ SOBI

.....Petitioner

Through: Mr. A.K. Pandey, Advocate with
Parokar.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for State
with SI Harsh Vardhan, P.S. Farsh
Bazar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.10.2024

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1. By way of present bail application, the applicant seeks regular bail in FIR No. 254/2020 registered under Sections 307/394/397/411/34 IPC and Section 25 of the Arms Act at P.S. Farsh Bazar, Delhi.
2. Learned counsel for the applicant submits that as per the prosecution case, the incident occurred on 12.06.2020 at about 10.45 pm, when two boys on a motorcycle chased the complainant and one of the accused persons pointed a knife at the complainant and robbed him of his purse containing Rs.110/-, Aadhar card, company ID card, HDFC ATM card and other documents. It is further stated that when the accused tried to snatch his mobile phone, the complainant resisted, on account of which, he sustained knife injuries on his chest, neck, shoulders and hand. Moreover, it is stated that the complainant has already been examined in Court, as per which, the



aforementioned role is assigned to the co-accused *Gaurav @ Prahlad*. He also submits that insofar as the present applicant is concerned, he was only riding the motorcycle and that charges under Sections 307/394/34 read with Section 411 IPC have been framed against him.

3. Ld. APP for the State, on the other hand, has opposed the bail application. He has handed over a copy of the Status Report, which is taken on record. Ld. APP contends that the applicant has also played a crucial role in the incident and that he is also a 'BC' of the area, inasmuch as, 8 cases are pending against him.

4. At this stage, ld. counsel for the applicant submits that out of the aforementioned 8 cases, the applicant has already been acquitted in one case and trial is only pending in three other cases and the applicant is on bail in all of them.

5. Considering the fact that the applicant is in custody since 13.06.2020 and the complainant stands examined as well as considering the role of the present applicant, this Court deems it fit to release the applicant on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty J.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating



Officer as well as to the concerned Court.

iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.

v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

6. The bail application is disposed of in the above terms alongwith pending application.

7. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

8. Needless to state that the observations made hereinabove are only for the purpose of disposal of present bail application and which shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

OCTOBER 24, 2024

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